

Remarks

The above Amendments and these Remarks are in reply to the Office Action mailed September 30, 2003. Claims 1-45 are presented herewith for consideration. Claims 1-4, 7-11, 15-21, 23-24, 26-36, 38 and 40-42 are presently amended. Dependent claims 43-45 have been added. Support for the added claims may be found at page 20 of the Specification.

Claims 2-3, 8, 15-16, 18-21, 23-24, 27-34, 38 and 41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As suggested by the Examiner, claims 2-3, 8, 15-16, 18-21, 23-24, 27-34, 38 and 41 have been rewritten in independent form. The Examiner should note the claims have been amended to clearly claim embodiments of the present invention and that certain limitations, like "a device name" limitation in claim 8, are not included in some of the previously depending claims (now independent claims), such as claim 23. Nevertheless, the claims are believed allowable over the cited art.

Claim 17 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Further, there is not an outstanding art rejection against claim 17. As suggested by the Examiner, "an equivalent" expressed limitation has been deleted from rewritten independent claim 17 and thus claim 17 is believed allowable.

Claims 1, 9-14, 22, 25-26, 35-36, 39-40 and 42 are rejected under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 5,457,737 to Wen ("*Wen*").

While independent claim 4 has been rejected on page 1 of the Office Action under "Disposition of the Claims." Claim 4 has not been rejected based on any particular grounds in the "Detailed Action" section of the Office Action. If claim 4 is still rejected after the Examiner considers the present remarks and amendments, clarification and an opportunity to respond is respectfully requested.

Claims 5-7 and 37 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Wen* as applied to claim 4 above, and further in view of U.S. Patent No. 6,151,628 to Xu et al. ("*Xu et al.*").

I. Rejection of Claims 1, 9-14, 22, 25-26, 35-36, 39-40 and 42 Under 35 U.S.C. §102(b)

Claims 1, 9-14, 22, 25-26, 35-36, 39-40 and 42 are rejected under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 5,457,737 to Wen ("*Wen*").

Wen teaches a system "for automatic verification of the identity of a mobile phone user in order to eliminate cellular piracy." Abstract. *Wen* teaches verification by transmitting code words and other

information by way of a cellular “mobile phone 2” “standard interface circuit 10” and “base station 4” “standard interface circuit 15.” There is no teaching or suggestion in *Wen* of using both “short-range radio signals” and “cellular signals.”

In contrast, the present application teaches “pairing or adding a device to a short distance wireless network.” Specification, page 8, lines 4-5. In an embodiment of the present invention, “a device 106” communicates with “one or more terminals 107” “by short-range radio signals” and “WAN 105” by “cellular signals 110.” Specification, page 9, lines 18-25 and page 10, lines 1-21. “[A] short-range radio signal can travel between approximately 0 and approximately 1000 feet. An example, of a short distance wireless network includes a network of Bluetooth™, HomeRF, 802.11 technologies, singly or in combination.” Specification, page 8, lines 13-15.

Independent claim 1 has been amended such that “a second device capable of receiving the first short-range radio signal and generating a second short-range radio signal to the first device” and “capable of communicating with a wide area network by cellular signals.” *Wen* does not teach “a second device” that has such capabilities. *Wen* teaches a mobile telephone and base station using cellular signals.

Claim 4 has not been rejected based on any particular grounds. However, claim 4 has been amended to “a second device capable of receiving the first short-range radio signal and generating a second short-range radio signal responsive to the second device generating a first cellular signal including the identification symbol and receiving a second cellular signal including a pairing message.” *Wen* does not teach “a second device” that receives “a first short-range radio signal including an identification symbol” and receives “a second cellular signal including a pairing message.”

Claims 9-14, 22 and 25 depend from claim 4 and are patentable for at least the same reasons stated above.

Claim 26 also includes limitations not found in *Wen*. In particular, claim 26 calls for “a second device capable of communicating with the first device responsive to the short-range radio signal and capable of communicating with a wide area network by cellular signals.”

Claim 35 calls for “forming a short-range radio communication channel” and “forming a cellular communication channel” which is not taught or suggested by *Wen*.

Claims 36, 39 and 40 depend from claim 35 and are therefore patentable for at least the same reasons.

Claim 42 calls for “a short-range radio software component for generating a short-range radio signal in a short distance wireless network” and “a cellular software component for generating cellular signals in a wide area network.” Both these elements are not taught or suggest by *Wen*.

Therefore, it is respectfully requested the Examiner withdraw the rejection of claims 1, 9-14, 22, 25-26, 35-36, 39-40 and 42 under 35 U.S.C. §102(b).

II. Rejection of Claims 5-7 and 37 Under 35 U.S.C. §103(a)

Claims 5-7 and 37 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Wen* as applied to claim 4 above, and further in view of U.S. Patent No. 6,151,628 to Xu et al. ("*Xu et al.*").

As state above, claim 4 has not been rejected based on any particular grounds. Nevertheless, claims 5-7 and 37 depend from independent claims that are patentable for at least the same reasons stated above.

Therefore, it is respectfully requested the Examiner withdraw the rejection of claims 5-7 and 37 under 35 U.S.C. §103(a).

III. Conclusion

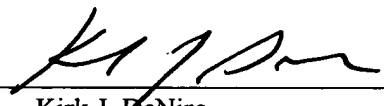
Based on the above amendments and these remarks, reconsideration of Claims 1-42 and consideration of added claims 43-45 is respectfully requested.

Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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By: 
Kirk J. DeNiro
Reg. No. 35,854

VIERRA MAGEN MARCUS HARMON & DENIRO LLP
685 Market Street, Suite 540
San Francisco, CA 94105-4206
Telephone: (415) 369-9660
Facsimile: (415) 369-9665